

REMARKS

Status of Claims

The Office Action mailed February 23, 2007 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-27, 31-50 and 54-95 were pending in the application. Claims 25-27, 31-50 and 54-79 have been previously withdrawn, and claims 28-30 and 51-53 have been previously cancelled. Therefore, claims 1-24 and 80-95 are pending in the application. Claims 1, 9, 17, 80 and 88 have been amended. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

Prior Art Rejections

In the Office Action, claims 1, 9, 17, 80 and 88 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0086685 (“Wallentin”) in view of U.S. Patent Application Publication No. 2003/0039237 (“Forslow”) in further view of U.S. Patent Application Publication No. 2005/0083876 (“Vialen”). Claims 2-8, 10-16, 18-24, 81-87 and 89-95 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wallentin in view of Forslow in view of Vialen in further view of U.S. Patent Application Publication No. 2003/0013443 (“Willars”). Applicants respectfully traverse these rejections for at least the following reasons.

Claims 1, 9, 17, 80 and 88 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wallentin in view of Forslow in further view of Vialen. Independent claim 1 recites a paging system that includes “a flag indicating whether or not said core network has the function of co-ordinating a packet service and a circuit service is added to said paging command”. Similar language is added for remaining independent claims 9, 17, 80 and 88. The combination of Wallentin, Forslow and Vialen fails to teach or suggest at least a flag as claimed in the independent claims.

Specifically, Wallentin does not teach or suggest a flag as claimed in the independent claims as the Examiner stated in the outstanding Office Action. *See*, page 4, line 14 of the Office Action.

Forslow discloses that a packet header "specifies one of several general classes of service that indicates transport by a circuit-switched bearer or a packet-switched bearer". In other words, the packet header of Forslow includes an indication of whether the packet is transported by a circuit-switched bearer or a packet-switched bearer, rather than an indication of whether a core network has a specific function (paragraph 0095). Accordingly, the packet header of Forslow does not indicate "whether or not said core network has the function of co-ordinating" as the claimed flag does. Furthermore, the indication disclosed in Forslow is not included in a paging command, whereas the claimed flag is added to a paging command. Therefore, Forslow fails to teach or suggest the claimed "a flag indicating whether or not said core network has the function of co-ordinating is added to said paging command".

Vialen discloses a cellular communication system in which either a packet-switched or a circuit-switched network could be used (paragraph 0028). However, Vialen also does not teach or suggest a flag as described in the independent claims.

As shown, neither Wallentin, Forslow, nor Vialen teach or suggest all of the features of the independent claim, specifically failing to teach or suggest at least "a flag indicating whether or not said core network has the function of co-ordinating a packet service and a circuit service is added to said paging command". Thus, Wallentin, Forslow, and Vialen, either alone or in any combination thereof, would also fail to teach or suggest all of the limitations of the independent claims. If this rejection is maintained, the examiner is respectfully requested to point out where this feature is disclosed in either Wallentin, Forslow, or Vialen.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole. As mentioned above, Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

Claims 2-8, 10-16, 18-24, 81-87 and 89-95 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wallentin in view of Forslow in view of Vialen and in further view of Willars. As shown, neither Wallentin, Forslow or Vialen teach or suggest all of the features of the independent claim, specifically failing to teach a flag as claimed in the independent claims. Willars does not disclose those features found lacking in Wallentin,

Forslow, and Vialen. Specifically, Willars teaches a Universal Mobile Telecommunications (UMTS) Terrestrial Radio Access Network (UTRAN) that accommodates both circuit switched and packet switched connections (paragraph 0010). However, Willars also does not teach or suggest a flag as claimed in the independent claims. Thus, Willars, either alone or in combination with Wallentin, Forslow and Vialen, would also fail to teach or suggest all of the limitations of the independent claims. If this rejection is maintained, the examiner is respectfully requested to point out where this feature is disclosed in either Wallentin, Forslow, Vialen or Willars.

Conclusion

In view of the foregoing amendments and remarks, applicants believe that the application is now in condition for allowance. An indication of the same is respectfully requested. If there are any questions regarding the application, the examiner is invited to contact the undersigned attorney at the local telephone number below.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 5/22/07

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

By 

George C. Beck
Attorney for Applicant
Registration No. 38,072